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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 WILLIAM CHARLES WOMACK,

10 Petitioner,

11 v.

12 DONALD HOLBROOK,

13 Respondent.

CASE NO. 3:17-cv-05822-BHS-TLF

ORDER FOR SERVICE AND  
ANSWER, § 2254 PETITION

14 This is a federal habeas action filed under 28 U.S.C. § 2254. Petitioner is currently  
15 incarcerated at the Washington State Penitentiary and is subject to the Court's Mandatory E-  
16 Filing Initiative pursuant to General Orders 02-15 and 06-16. The Court, having reviewed  
17 petitioner's federal habeas petition, hereby finds and **ORDERS** as follows:

18 (1) The Clerk shall arrange for service by e-mail upon respondent and upon the  
19 Attorney General of the State of Washington, of copies of the petition, of all documents in  
20 support thereof, and of this Order.

21 (2) Within *forty-five (45) days* after such service, respondent(s) shall file and serve an  
22 answer in accordance with Rule 5 of the Rules Governing Section 2254 Cases in United States  
23 District Courts. As part of such answer, respondent(s) shall state whether petitioner has

1 exhausted available state remedies and whether an evidentiary hearing is necessary.

2 Respondent(s) shall not file a dispositive motion in place of an answer without first showing  
3 cause as to why an answer is inadequate. Respondent(s) shall file the answer with the Clerk of  
4 the Court and serve a copy of the answer on petitioner.

5 (3) The answer will be treated in accordance with LCR 7. Accordingly, on the face  
6 of the answer, respondent(s) shall note it for consideration on the fourth Friday after filing.  
7 Petitioner may file and serve a response not later than the Monday immediately preceding the  
8 Friday designated for consideration of the matter, and respondent(s) may file and serve a reply  
9 not later than the Friday designated for consideration of the matter.

10 (4) Filing by Parties, Generally

11 All attorneys admitted to practice before this Court are required to file documents  
12 electronically via the Court's CM/ECF system. All filings must indicate in the upper right hand  
13 corner the name of the magistrate judge to whom the document is directed.

14 Any document filed with the Court must be accompanied by proof that it has been  
15 electronically served upon all parties that have entered a notice of appearance in the underlying  
16 matter.

17 (5) Motions

18 Any request or court action shall be set forth in a motion, properly filed and served.  
19 Pursuant to LCR 7(b), any argument being offered in support of a motion shall be submitted as a  
20 part of the motion itself and not in a separate document. The motion shall include in its caption  
21 (immediately below the title of the motion) a designation of the date the motion is to be noted for  
22 consideration on the Court's motion calendar.

(6) Direct Communications with District Judge or Magistrate Judge

No direct communication is to take place with the District Judge or Magistrate Judge with regard to this case. All relevant information and papers are to be directed to the Clerk.

Dated this 30th day of October, 2017.

Theresa L. Frutke

Theresa L. Fricke  
United States Magistrate Judge